

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHELE SWINGLE,

Plaintiff,

vs

3:04-CV-1115

MICHAEL J. ASTRUE, Commissioner of
Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

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DENNIS J. CANNING, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Michele Swingle, brought this action seeking judicial review pursuant to 42 U.S.C. § 405(g) of the Social Security Act. By Report and Recommendation dated June 26,

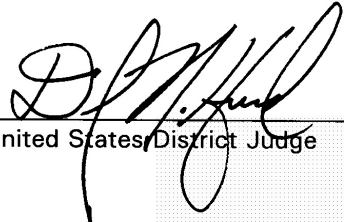
2007, the Honorable George H. Lowe, United States Magistrate Judge, recommended that this matter be remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation. The parties have filed timely objections to the Report-Recommendation.

Based upon a de novo determination of the portions of the report and recommendations to which the parties have objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. 636(b)(1). Accordingly, it is

ORDERED that this matter is REMANDED to the Commissioner for further proceedings consistent with the Report and Recommendation.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.


United States District Judge

Dated: October 17, 2007
Utica, New York.